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IN THE UNITED STATES PATENT AND TRADEMARK OFFICE

Application of:	KUPPER et al.	Confirmation No.:	8338
Serial No.:	10/722,054	Art Unit:	1614
Filed:	November 25, 2003	Examiner:	To Be Assigned
For:	METHODS FOR MAKING THEBAINE OR ITS ACID SALTS	Attorney Docket No.:	6750-145-999
		CAM No.:	305158-999143

INFORMATION DISCLOSURE STATEMENT UNDER 37 C.F.R. §§ 1.56 and 1.97

Mail Stop Amendment
Commissioner for Patents
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Sir:

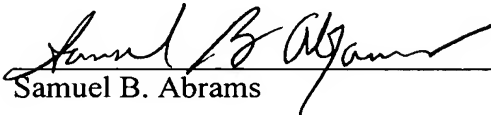
In accordance with the duty of disclosure imposed by 37 C.F.R. § 1.56 to inform the Patent and Trademark Office of all references coming to the attention of each individual associated with the filing and prosecution of the above-identified application that are or might be related to patentability of the claimed invention, Attorneys for Applicants hereby invite the Examiner's attention to References **A01-A02**, **B01**, and **C01-C06**, which are listed on the accompanying revised Form PTO-1449 entitled "List of References Cited By Applicant". A copy of references **B01**, and **C01-C06** is submitted herewith. Copies of references **A01-A02**, each being a U.S. patent, are not submitted herewith pursuant to a waiver of the requirement under 37 C.F.R. § 1.98(a)(2)(i) for submitting a copy of each cited U.S. patent or patent publication for all U.S. national patent applications filed after June 30, 2003. Applicants respectfully request that the Examiner review References **A01-A02**, **B01**, and **C01-C06** identified on the attached Form PTO-1449 and make them of record in the file history of the above-identified application by initializing the attached revised Form PTO-1449. Identification of the listed references is not to be construed as an admission that such references are available as "prior art" against the subject application.

Pursuant to 37 C.F.R. § 1.97(b), since this Information Disclosure Statement is being filed before the mailing of a first Office Action on the merits, it is believed that no fee is due in connection herewith. However, should the Patent and Trademark Office determine

otherwise, please charge the required fee to Jones Day Deposit Account No. 50-3013.

Respectfully submitted,

Date: August 11, 2004



Samuel B. Abrams

30,605
(Reg. No.)

Jones Day
222 East 41st Street
New York, New York 10017
(212) 326-3939

Enclosures

LIST OF REFERENCES CITED BY APPLICANT (Use several sheets if necessary)	ATTY DOCKET NO.	APPLICATION NO:
	6750-145-999	10/722,054
	APPLICANT	
	Kupper et al.	
	FILING DATE	GROUP
	November 25, 2003	1614

U.S. PATENT DOCUMENTS

*EXAMINER INITIAL		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE IF APPROPRIATE
	A01	4,045,440	08/30/1977	Rapoport et al.			
	A02	6,090,943	07/18/2000	Mudryk et al.			

FOREIGN PATENT DOCUMENTS

		DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
	B01	GB 1260 699	01/19/1972	Great Britain				

OTHER REFERENCES (Including Author, Title, Date, Pertinent Pages, Etc.)

C01	Choudhrey et al., 1989, "The Synthesis of Thebaine-1- ³ H," J. Labell. Cmpd. Radiopharm. 27(12):1403-1408
C02	Coop et al., 1998, "A Novel Synthesis of Thebaine from Codeine," Heterocycles 49:43-47
C03	Rapoport et al., 1967, "The Synthesis of Thebaine and Northebaine from Codeinone Dimethyl Ketal," J. Amer. Chem. Soc. 89(8):1942-1947
C04	Seki et al., 1970, "Studies on the Morphine Alkaloids and Its Related Compounds. XVII. One-Step Preparations of Enol Ether and Pyrrolidiny Dienamine of Normorphinone Derivatives," Chem. Pharm. Bull. 18(4):671-676
C05	The Merck Index, 2001, 13 th ed., 9346
C06	Remington: The Science and Practice of Pharmacy, 2000, 20 th ed., p. 1448

EXAMINER

DATE CONSIDERED

*EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; Draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.